

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

CONTRENA LOYD

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 3:21cv197-MPM-RP

**COMO CONSOLIDATED GIN COMPANY, INC.
& WYTISHA ECHOLS**

DEFENDANTS

**COMPLAINT FOR DAMAGES
(Jury Trial Requested)**

NOW COMES Plaintiff, Contrena Loyd, a person of the full age of majority and a resident and citizen of the State of Ohio, and represents as follows:

1.

Named defendants herein are:

- a) **Como Consolidated Gin Company, Inc.**, a corporation deemed to be a citizen of the State of Mississippi, based upon the fact that it was formed in Mississippi and has its principal office address located at 221 Main Street, Como, Mississippi; and
- b) **Wytisha Echols**, a person of the full age of majority who is, upon information and belief, a resident and citizen of the State of Mississippi.

2.

On or about October 3, 2018, the plaintiff, Contrena Loyd, was lawfully stopped for a stop sign facing southbound in the right lane of Highway 51 at its intersection with Highway 310 in Como, Mississippi, when suddenly and without warning her vehicle was violently struck by the trailer of a commercial truck owned by defendant, Como Consolidated Gin Company, Inc.,

and operated by Wytisha Echols, as the defendants' truck was attempting a left turn from the left lane of Highway 51 southbound onto Highway 310 eastbound.

3.

The vehicular collision which is the subject of this Complaint caused plaintiff substantial injuries, including but not limited to her neck, shoulder, back and hip, which resulted in approximately \$50,000 in incurred medical expenses to date, with untold future medical expenses still being calculated, and well as substantial loss of past and future earnings.

4.

Venue is established based upon the fact that the collision which is the subject of this lawsuit occurred within this judicial district, and jurisdiction is established under Title 28, § 1332 of the United States Code based on the diversity of citizenship between the parties, and further upon the grounds that based upon the special and general damages pled, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

5.

The aforesaid collision occurred through no fault of the plaintiff; rather, the collision was caused solely by the fault and negligence of defendant, Wytisha Echols, based on the following acts and omissions:

- a. Failure to see what should have been seen;
- b. Failure to yield;
- c. Operating one's vehicle at an excessive rate of speed;
- d. Inattention;
- e. Failure to keep a proper lookout for other traffic;
- f. Failure to maintain the proper degree of control of the vehicle;

- g. Failure to keep within his/her lane of travel;
- h. Violation of applicable local, state and federal highway laws and regulations regarding the operation of motor vehicles;
- i. Any and all other acts of negligence, recklessness and fault as will be shown at the trial of this matter.

6.

As a result of the aforesaid collision, plaintiff suffered injuries and losses for which she seeks all reasonable past and future damages from the defendants, including, but not limited to physical pain and suffering, past and future medical expenses, past and future disability, mental anguish and emotional distress, loss of the enjoyment of life, loss of wages and/or earning capacity, loss of use, property damage and related expenses, and all other damages as may be assessed following a trial of this matter.

7.

Plaintiff is entitled to a trial by jury and respectfully requests a trial by jury on all issues raised herein.

WHEREFORE, plaintiff, Contrena Loyd, prays that defendants, Como Consolidated Gin Company, Inc. & Wytisha Echols, be served with a copy of the Complaint, and after being duly summoned to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be trial by jury, individual judgment rendered herein in favor of plaintiffs, and against the defendants, as alleged, together with legal interest and for all costs of these proceedings as well as attorney fees, and for all legal and equitable relief this Honorable Court shall deem appropriate.

RESPECTFULLY SUBMITTED, this 1st day of September, 2021.

SILBERT, PITRE & FRIEDMAN

A handwritten signature in black ink, appearing to read 'DP', is written over a horizontal line.

DAVID PITRE (MS Bar #99388)

1303 Spring Street

Gulfport, MS 39507

Telephone: (228) 822-2404

Fax: (228) 822-9942

Email: david@spflawyers.com

Attorney for Plaintiff